

**Statement of U.S. Representative Edward J. Markey (D-MA)**  
Ranking Democrat, House Telecommunications and Internet Subcommittee  
Floor consideration of HR 3833, the "Dot Kids Implementation and  
Efficiency Act"  
November 13, 2002

Mr. Speaker, I rise in support of this bill. I am an original cosponsor of the bill along with Mr. Shimkus, Chairman Upton, as well as many other members. I want to commend Chairman Tauzin, Ranking Member Dingell and everyone involved for the excellent process on this bill that has led to a consensus, bipartisan proposal. This bill was approved unanimously by the House Energy and Commerce Committee, and was approved by the House back in May by a vote of 406 to 2.

The Senate has slightly altered the House-passed version and I support approving this amended version and sending it to President Bush for his signature. This is a consensus bill and a model of how legislative proposals can achieve success in a closely divided Congress. There is a reason that this is the sole telecommunications bill that we will enact in the 107<sup>th</sup> Congress and that's because it was a bill that we worked together on – Republicans and Democrats – from the start. When we encountered issues, we resolved them by working together, and we sought out bipartisan support on the other side of the Capitol as well. Senator Dorgan and Senator Ensign also deserve tremendous credit for this achievement.

As many parents today know, the Internet often appears to be a veritable jungle of web sites. When a child logs on to search for games, stories, or educational material, search engines often turn up pages for the kids laden with pornography, violence or other content that is simply not appropriate for young children. To give children their own playground on the Internet, and to facilitate the easier browsing and filtering of content that many parents desire, we are poised now to enact H.R. 3833, the "Dot Kids Implementation and Efficiency Act."

This bill directs the Department of Commerce, through the National Telecommunications and Information Administration (NTIA) to accelerate the creation of a "dot kids" domain by making it a secondary domain under our nation's country code top level domain, which is "dot us." The Department of Commerce awarded a free contract last October to authorize private sector management and commercialization of "dot U.S."

I opposed the awarding of a free contract to a company to essentially manage and profit from a public asset. We only have one country code and the Department of Commerce should have ensured that the broader public interest was incorporated in any contract to manage the dot U.S. domain, or, as I indicated in a letter to the Department of Commerce in the summer of 2001, the contract should have been auctioned to the highest qualified bidder. We should be long past the time in this country of giving away public

assets to private companies to profit from for free. Nevertheless, the DoC awarded the dot U.S. contract to NeuStar in October of 2001, and Congress must now subsequently ensure that future contract awards or extensions incorporate public interest conditions in such contract awards and "dot.kids" is clearly in the public interest.

What is essentially being proposed is the creation of a place on the Internet for websites that end in "dot kids-dot U.S." (e.g., [www.example.kids.us](http://www.example.kids.us)) The proposed "dot kids" domain will be a cyberspace sanctuary for content that is suitable for kids and will be an area devoid of content that is harmful to such minors.

I want to address at this point, very briefly, some of the free speech concerns that any endeavor of this type will inevitably raise. First let me emphasize how this approach departs from previous Congressional activity in this policy area. First, the proposed legislation will not subject all of the Internet communications to a "harmful to minors" standard. If you're in Tennessee, Taiwan, or Timbuktu you can publish or speak any content you want on the Internet. This proposal doesn't affect your ability to do so on a "dot com," "dot net," "dot org," or anywhere else. This proposal now only addresses a subset of Internet commerce – the "dot us" space.

Moreover, it doesn't even curtail speech throughout the entirety of the "dot U.S." country code domain. If you're in Providence, Rhode Island or Provo, Utah, under this bill you are free to exercise your constitutional rights and this legislation contains no proposal that would subject anyone utilizing the "dot us" space to a standard suitable only for kids. Speech more appropriate for adults or teenagers will not be affected by this bill and can appear elsewhere in the "dot U.S." domain.

The bill solely stipulates that if you want to operate in the "dot kids-dot U.S." area – in other words, a mere subset of the "dot us" country code domain – you have entered a kid-friendly zone – a green light district if you will – where the content is suitable for children 12 and under. The "dot kids" proposal is not aimed at censoring Internet content *per se*. Rather, it is crafted to help organize content more appropriate for kids in a safe and secure cyber-zone, where the risk of young children clicking outside of that zone to unsuitable content, or being preyed upon or exploited online by adults posing as kids, is vastly diminished. Organizing kid-friendly content in this manner will enhance the effectiveness of filtering software and may better enable parents to set their children's browsers so that their kids only surf within the "dot kids" domain.

And I also want to emphasize that use of the "dot kids" domain is not compulsory. Signing up for a "dot kids" domain – or parents sending their kids to websites in that location – remains completely voluntary and the free choice of both content speakers and parents. Finally, I want to note that this bill is not meant in any way to diminish or thwart the many laudable private sector efforts to create new and alternative ways for kids to have a safe and educational online experience. Our efforts here today are meant to supplement, not supplant, initiatives underway elsewhere by ensuring that our "dot us" country code reflects our public interest goals as a society in a way that hopefully can harness the best of advanced technology for kids across the country.

Thank you, Mr. Speaker, and I again want to thank Mr. Shimkus, Chairman  
Tauzin, Mr. Dingell, and Chairman Upton for their work on the bill.

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